

STAFF REPORT



SUBJECT: Case No.: RZ2025-002

Applicant Shannon Hammon, representing Team S&K Enterprises, LLC., is requesting a Rezone for property located at 230 Tarleton, being Parcel R78009 of S2600 City Addition, Block 63, Lot 23 of the City of Stephenville, Erath County, Texas from (B-1), Neighborhood Business to (B-3) Central Business District.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

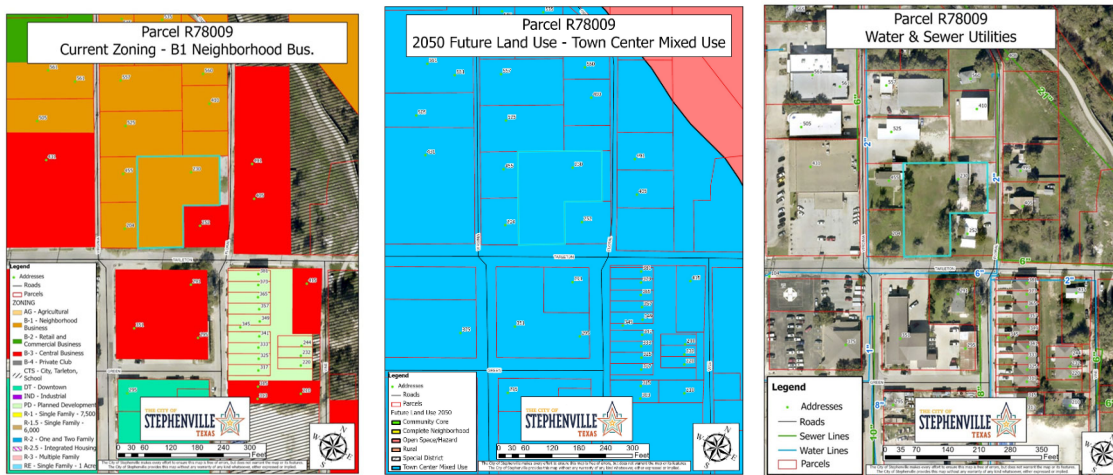
RECOMMENDATION:

The Planning and Zoning Commission convened on January 15, 2025, and by unanimous vote, recommended the City Council approve the rezone request.

BACKGROUND:

The applicant is requesting a rezone to allow for the highest and best use for future development. In 2023, an amended plat was submitted and approved. Also, in December 2023, the adjacent property, known as 252 E Tarleton, was recommended for rezoning from B-1 to B-3. The City Council subsequently approved the rezone of that property in 2024.

PROPERTY PROFILE:



FUTURE LAND USE

Town Center Mixed-Use

The Town Center Mixed-Use land use encourages a mix of uses including residential, purpose-built student housing, offices, retail, and recreational at higher densities. These areas are hubs for commerce, entertainment, education, and culture, with numerous offices, shops, restaurants, theaters, and art galleries.




Guiding Principles

Land Use: Land uses are characterized by mixed-use developments. Commercial is encouraged on ground floors that face major corridors. Purpose-built student housing that contributes to walkability is encouraged in the Town Center Mixed-Use category.

Built Form: Building height and mass should be compatible with adjacent buildings and development quality (architecture and landscaping) should be of a higher standard.

Mobility: New developments should create a well-connected network of streets, typically in a grid pattern, to support multiple modes of transportation and/or provide walkability on pedestrian paths and sidewalks.

Parking: Accommodated through on-street parking, shared parking, and structured parking, and away from primary pedestrian pathways. Individual surface lots for each parcel should not be required.

Amenities: New developments should provide amenities such as parks, plazas, open spaces, and other place-making elements or ensure access to existing amenities.

\$7,000 per acre - Targeted property tax revenue per acre is high. City infrastructure spending should be directed to Town Centers to help attract new developments to these highly productive areas.

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Sec. 154.06.3. Central business district (B-3).

6.3.A Description. The Central Business District is intended to encourage the redevelopment of the downtown business area, which includes the historic courthouse, all types of offices, retail business and residences. The varying land uses included in the Central Business District are compatible with existing uses to preserve the integrity of the Central Business District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential and citizens citywide.

6.3.B Permitted Uses.

- (1) Accessory building to main use;
- (2) Antique shop/art gallery—sales in building;
- (3) Auto parking lot or building (commercial);
- (4) Bakery—Retail;
- (5) Banks or other financial institutions;
- (6) Bed and breakfast/boarding house;
- (7) Bicycle sales and rental;
- (8) Church, temple or mosque;
- (9) Civic or community center;
- (10) Cleaning and pressing—small shop, pickup and delivery;
- (11) College or university;
- (12) Condominium;
- (13) Convenience/grocery store (without pumps);
- (14) Department store;
- (15) Drapery, needlework or weaving shop;
- (16) Farmers market;
- (17) Florist;
- (18) Fraternal organization, lodge or civic club;

- (19) Furniture or appliance store;
- (20) Handcraft shop;
- (21) Health club, weight and aerobic center;
- (22) Home occupation;
- (23) Hotels and motels;
- (24) Household appliance service and repair (no outside storage);
- (25) Kiosk;
- (26) Laboratory (medical);
- (27) Micro brewery;
- (28) Multi-family dwelling (five more units);
- (29) Municipal facilities/state facilities/federal facilities;
- (30) Office—professional and general administration;
- (31) Park, playground, public community recreation center;
- (32) Personal service shop (beauty/barber shop and the like);
- (33) Pet shop—small animals within building (no boarding);
- (34) Railroad or bus passenger station;
- (35) Registered family home (six + six children);
- (36) Restaurant or cafeteria—without drive-in service;
- (37) Restaurant with alcoholic beverage service;
- (38) Retail shops;
- (39) Retirement housing complex;
- (40) Sale of alcohol as licensed by the Texas Alcoholic Beverage Commission;
- (41) Schools—private/parochial;
- (42) Schools—public;
- (43) Single family dwelling;
- (44) Studio for photographer, musician, artist and the like;
- (45) Studio for radio and television;
- (46) Tattoo parlor/body piercing studio;
- (47) Theater—indoor;
- (48) Townhouse; and
- (49) Two-four family dwelling.

6.3.C Conditional Uses (Special Use Permit required).

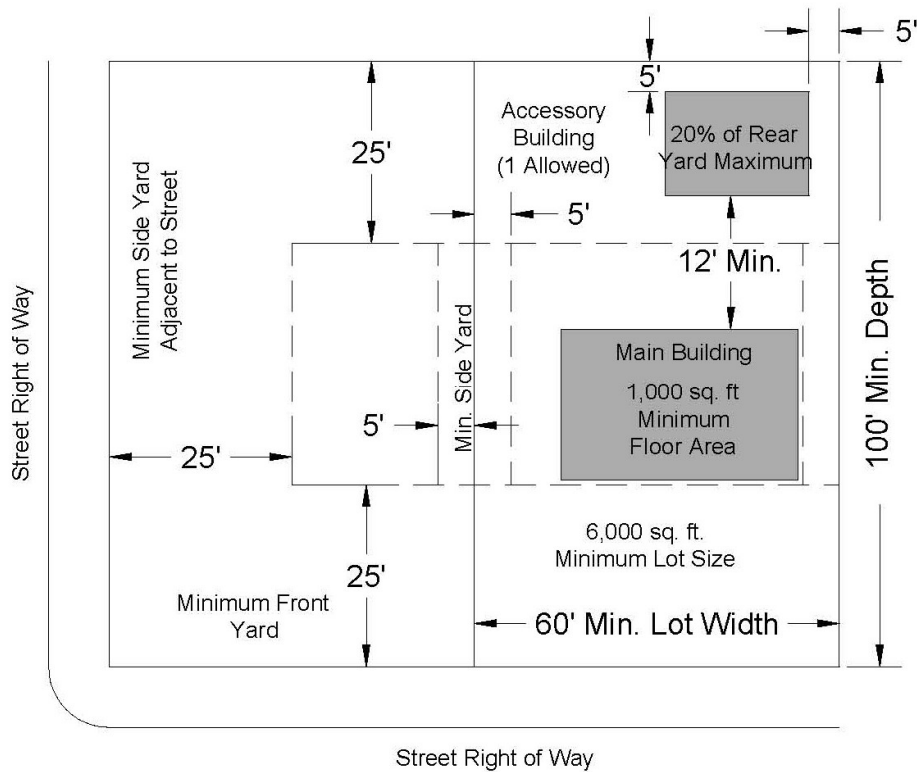
- (1) Assisted living center;
- (2) Auto parts sales;
- (3) Automobile service station and car care center;
- (4) Clinic;
- (5) Day care center (12 or more children);
- (6) Hospital—general acute care (human);
- (7) Printing;

- (8) Plumbing shop;
- (9) Scientific and research laboratories;
- (10) Storage, sale or repair of furniture and appliances (inside building);
- (11) Tobacco shop;
- (12) Tool and equipment rental shop; and
- (13) Trade and commercial schools.

6.3.D Height, Area, Yard and Lot Coverage Requirements.

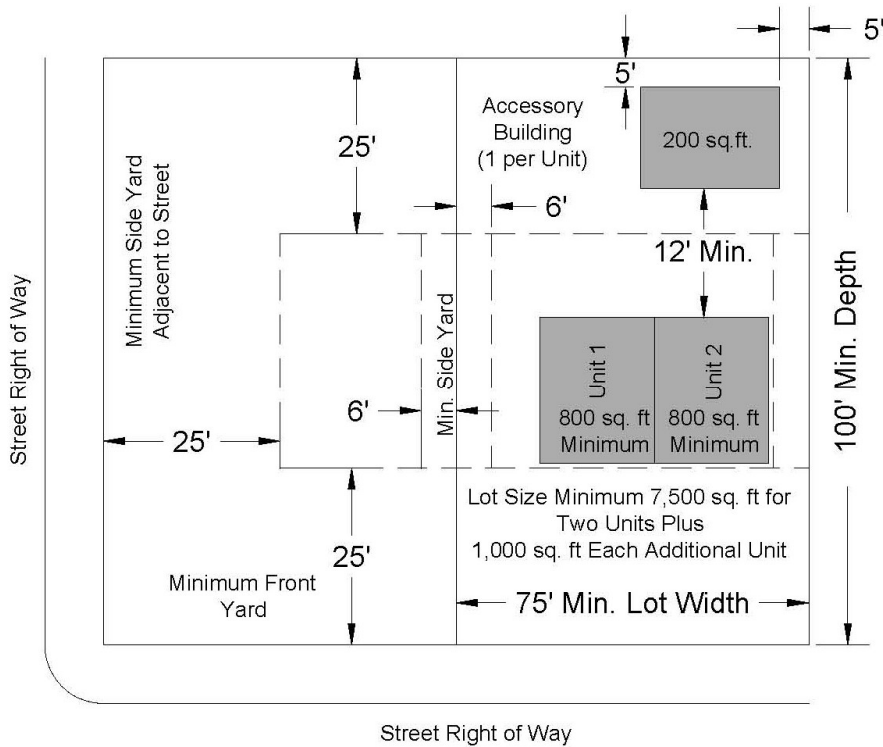
(A) *Single family dwelling.*

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 6,000 ft².
- (3) Minimum lot width and lot frontage: 60 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



(B) *Two-four family dwelling.*

- (1) Minimum lot area: 7,500 ft for two dwelling units, plus 1,000 ft for each additional dwelling unit.
- (2) Minimum lot width and lot frontage: 75 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 25 feet.
- (6) Minimum width of side setback:
 - (a) Internal lot: six feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of each dwelling unit: 800 ft².
- (8) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples, and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

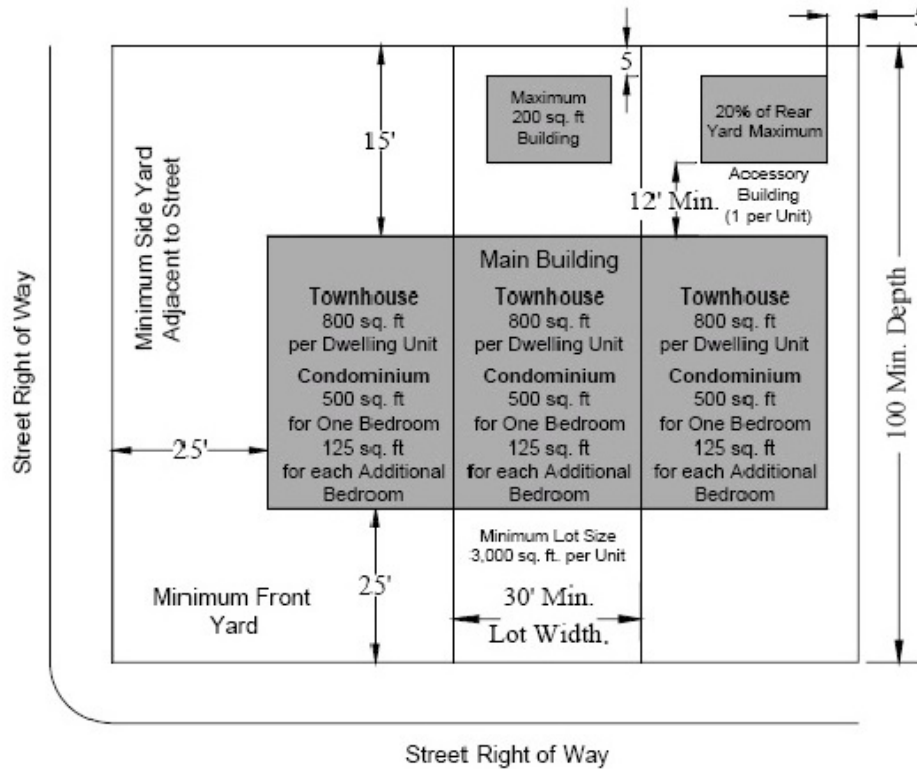


(C) *Townhouse/Condominium.*

- (1) Minimum lot area: 3,000 ft² per unit.
- (2) Minimum average lot width and lot frontage: 30 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum width of rear setback: 15 feet.
- (6) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%
 - (b) Minimum area of each Townhouse dwelling unit: 800 ft².
 - (c) Minimum area of each Condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
- (8) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.

- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Townhouse/Condominium

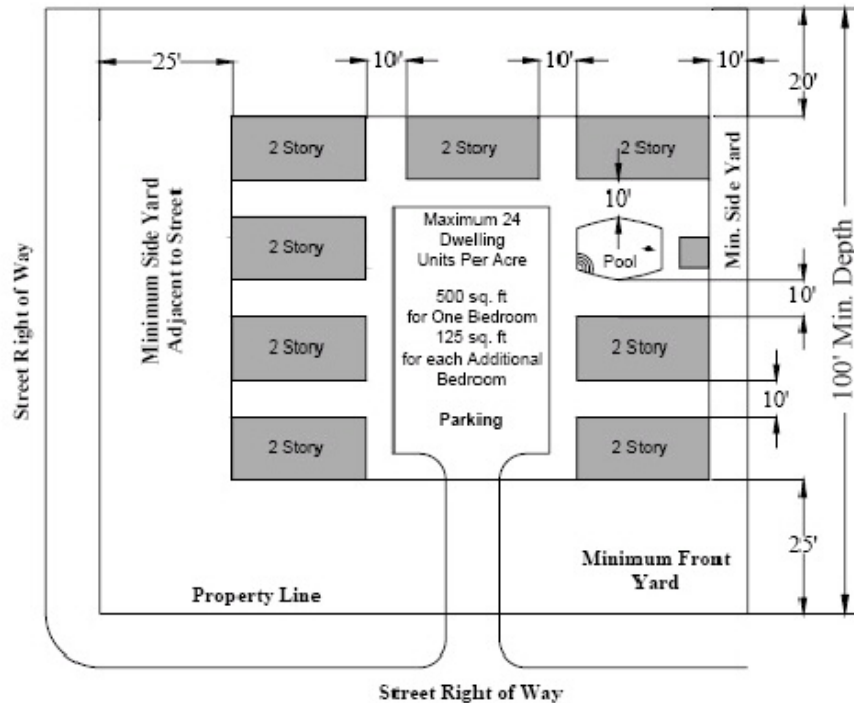


(D) *Multiple family dwellings.*

- (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
- (2) Minimum lot depth: 100 feet.
- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
 - (a) Internal lot: ten feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft² for one bedroom or less plus 125 ft² of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

6.3.D Height, Area, Yard and Lot Coverage Requirements

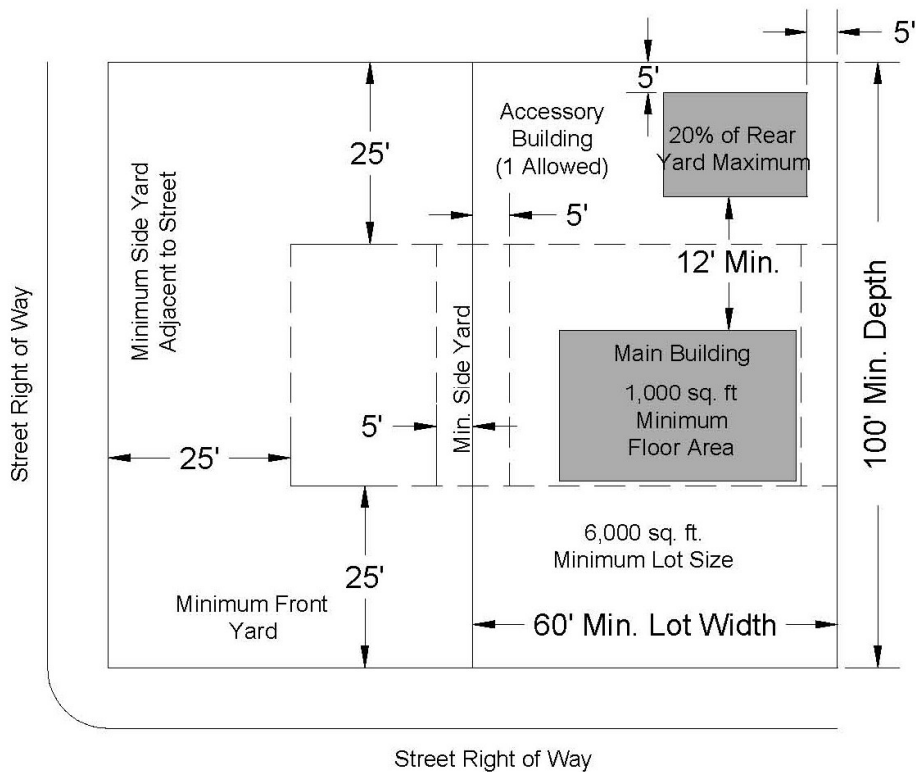
Multiple-Family Dwelling



Note: Building size for a multiple family dwellings shall have a minimum area for efficiency or one bedroom unit at 350 feet squared. All other dwelling units shall have a minimum of 800 feet squared.

(E) *All other uses.*

- (1) Maximum density: There is no maximum density requirement.
- (2) Minimum lot area: There is no minimum area requirement.
- (3) Minimum lot width: There is no minimum width requirement.
- (4) Minimum lot depth: There is no minimum depth requirement.
- (5) Minimum depth of front setback: There is no front setback requirement.
- (6) Minimum depth of rear setback: There is no minimum rear setback requirement unless the lot abuts upon a Residential District, then a minimum ten feet is required.
- (7) Minimum width of side setback:
 - (a) Internal lot: There is no minimum side setback requirement unless the lot abuts upon a Residential District, then a minimum five feet is required.
 - (b) Corner lot: There is no setback requirement.
- (8) Building Size: there are no minimum size regulations.
- (9) Maximum height of structures: No building shall exceed 75 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



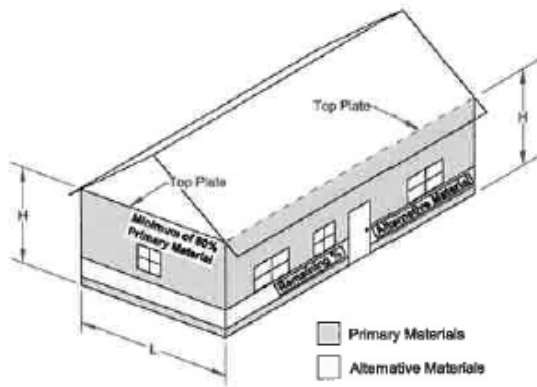
Note: No rear or side yard except when the lot abuts upon a Residential District, then the minimum setback for rear yard is ten feet and side yard is five feet.

6.3.E Parking Regulations.

- (1) A Single-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (2) A Two-Four-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (3) A Townhouse/Condominium, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (4) A Multiple Family, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (5) All uses permitted in the B-3 District: See Section 11 for Parking Regulations.

6.3.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.



NEW CONSTRUCTION

Total Exterior Wall shall equal, 80% of Primary Materials. Any remaining percentage shall be constructed of Alternative Materials. (Windows & Doors are excluded)

EXISTING STRUCTURES

1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is need from the Community Development Director.
2. Expanding or modifying the footage of the building 50% or more, must use 80% Primary Materials and any remaining percentage shall be constructed of Alternative Materials.
3. Windows and Doors are excluded.

6.3.G Sign Regulation. See Section 12 for Sign Regulations.

6.3.H Exceptions to Use, Height and Area Regulations. See Section 10.

6.3.I Garbage Regulations. Central Business District businesses will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a residential district, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.3.J.

6.3.J Loading and Unloading Regulations. All loading, unloading and maneuvering of vehicles connected with the activity must be on the premises and will not be permitted in any street. Loading and unloading areas must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.

(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Am. Ord. 2009-23, passed 12-1-2009; Am. Ord. 2011-26, passed 12-6-2011; Am. Ord. No. 2018-O-25 , § 1, 8-7-2018; Ord. No. 2021-O-17 , §§ 1, 4, passed 6-1-2021; Ord. No. 2021-O-32 , § 1, passed 8-3-2021)

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve.

ALTERNATIVES:

- 1) Accept the recommendation of the Planning and Zoning Commission and approve the rezone request.
- 2) Deny the rezone request.